



HM Prison &
Probation Service

Action Plan Submitted: 24 January 2023

A Response to: Independent serious further offence review of Jordan
McSweeney

Report Published: 24 January 2023

INTRODUCTION

HM Inspectorate of Prisons (HMIP) and HM Inspectorate of Probation for England and Wales are independent inspectorates which provide scrutiny of the conditions for, and treatment of prisoners and offenders. They report their findings for prisons, Young Offender Institutions, and effectiveness of the work of probation, and youth offending services across England and Wales to Ministry of Justice (MoJ) and His Majesty's Prison and Probation Service (HMPPS). In response to the report HMPPS / MoJ are required to draft a robust and timely action plan to address the recommendations. The action plan confirms whether recommendations are agreed, partly agreed, or not agreed (see categorisations below). Where a recommendation is agreed or partly agreed, the action plans provide specific steps and actions to address these. Actions are clear, measurable, achievable, and relevant with the owner and timescale of each step clearly identified. Action plans are sent to HMIP and published on the GOV.UK website. Progress against the implementation and delivery of the action plans will also be monitored and reported on.

Term	Definition	Additional comment
Agreed	All of the recommendation is agreed with, can be achieved and is affordable.	The response should clearly explain how the recommendation will be achieved along with timescales. Actions should be as SMART (Specific, Measurable, Achievable, Realistic and Time-bound) as possible. Actions should be specific enough to be tracked for progress.
Partly Agreed	Only part of the recommendation is agreed with, is achievable, affordable and will be implemented. This might be because we cannot implement the whole recommendation because of commissioning, policy, operational or affordability reasons.	The response must state clearly which part of the recommendation will be implemented along with SMART actions and tracked for progress. There must be an explanation of why we cannot fully agree the recommendation - this must state clearly whether this is due to commissioning, policy, operational or affordability reasons.
Not Agreed	The recommendation is not agreed and will not be implemented. This might be because of commissioning, policy, operational or affordability reasons.	The response must clearly state the reasons why we have chosen this option. There must be an explanation of why we cannot agree the recommendation - this must state clearly whether this is due to commissioning, policy, operational or affordability reasons.



ACTION PLAN: Independent serious further offence review of Jordan McSweeney

1. Rec No	2. Recommendation	3. Agreed/ Partly Agreed/ Not Agreed	4. Response Action Taken/Planned	5. Responsible Owner	6. Target Date
	Recommendations				
	Her Majesty's Prison and Probation Service should:				
1	conduct a thorough, senior led review of the processes its staff use to assess the risks of harm that people on probation may pose to others, to ensure that <u>all</u> staff understand and apply the correct criteria for identifying high risk of serious harm cases and that this then informs robust and appropriate risk management plans and regular reviews. This action should be conducted urgently.	Agreed	<p>The Chief Probation Officer (CPO) will commission an urgent review of the current Risk of Serious Harm Guidance (which sets out the process pre and post sentence which probation practitioners must follow for assessing an offender's risk of harm to others) and approaches to implementation.</p> <p>HMPPS will develop an organisational strategy to improve the quality of risk, needs and strengths-based assessments.</p> <p>Every Probation Practitioner in England and Wales will receive at least one Regional Case Audit Tool (R-CAT) assessment per year. The CPO will receive regular reports from the London Regional Probation Director (RPD) to demonstrate that the RCAT is being deployed and delivery is proportionately focused on medium risk cases.</p> <p>Operational System Assurance Group (OSAG) will continue to undertake annual sentence management audits across all regions. This will ensure effective use of processes to assess risk of harm and robust risk management.</p>	<p>Chief Probation Officer</p> <p>Executive Director, HMPPS Change</p> <p>Chief Probation Officer, Regional Probation Director (London) and Head of Assurance, Risk Management & Governance</p> <p>Head of Assurance, Risk Management & Governance</p>	<p>April 2023</p> <p>June 2023</p> <p>July 2023</p> <p>Complete and ongoing on an annual basis</p>
2	implement effective arrangements to ensure <u>all</u> risk of harm assessments, including at pre-sentence stage, are quality assured for accuracy until regular and appropriate management oversight arrangements are established, given the	Agreed in principle	HMPPS will ensure that appropriate management oversight is established by revising our policy on the countersigning of risk assessments, in order to specify the circumstances in which an assessment must be quality assured. HMPPS will start by mandating that every risk assessment produced is quality assured where:	Chief Probation Officer	February 2023



	<p>national staffing resource shortage and middle management oversight limitations.</p>		<ul style="list-style-type: none"> - an offender commits in prison an offence which results in a further prison sentence; - an offender is made subject to a restraining order or other civil order; and - checks with the Police and Children's Services disclose significant concerns relating to domestic violence and child safeguarding. <p>HMPPS will then conduct a comprehensive analysis of the findings of all serious further offence (SFO) reviews, in order to specify the other key indicators of escalating risk, where the resulting risk assessment must be quality assured.</p> <p>These immediate and future changes will ensure that our quality assurance processes effectively target cases where risk is escalating towards high risk of serious harm.</p> <p>Every Probation Practitioner in England and Wales will receive at least one Regional Case Audit Tool (R-CAT) assessment per year to improve the quality of their risk assessment and identify any learning required.</p> <p>The Effective Practice and Service Improvement Group (EPSIG) have developed a PSR Gatekeeping Form which provides proportionate quality assurance of all PSRs. This will be rolled out nationally from January 2023.</p> <p>HMPPS Operational & System Assurance Group (OSAG) will</p> <ul style="list-style-type: none"> - produce and pilot a Court Case Audit Tool (C-CAT) in January 2023 to enable Probation Regions to undertake local assurance activity. In addition, a targeted audit will form a basis from which subsequent annual audits can measure progress (providing a Court quality measure). 	<p>Chief Probation Officer and Head of Assurance, Risk Management & Governance</p> <p>Deputy Director, EPSIG and Head of Court Delivery and Effective Proposal Framework, Central Court Team</p> <p>Head of Assurance, Risk Management & Governance</p>	<p>April 2023</p> <p>July 2023</p> <p>January 2023</p> <p>June 2023</p>
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			<ul style="list-style-type: none"> - continue to conduct regular reviews of the delivery of Quality Improvement Plans (QIPs), which will ensure sufficient rigour in Quality Assurance activity planned for 2023/24. - continue to undertake annual sentence management audits across all regions. This covers regular and appropriate management oversight of risk and needs assessments, including commencing delivery of a court audit by May 2023. <p>The Touchpoints Model (TPM) sets out a framework directing management oversight at key points in the sentence. EPSIG are currently reviewing the TPM to understand the current usage and will enable a comparison of the benefits and impact upon resources and effectiveness.</p> <p>HMPPS will re-develop and update training for new staff to ensure it improves quality and promotes the best available evidence effectively, with a greater understanding of actuarial predictor tools.</p>	<p>Deputy Director Effective Practice and Service Improvement Group</p> <p>Deputy Director, Probation Workforce Programme</p>	<p>February 2023</p> <p>March 2023</p>
3	develop processes to ensure <u>all</u> known information on past behaviour or current risks in prison or the community is available to probation practitioners and is properly analysed when formulating risk assessments pre and post sentence.	Agreed	<p>As part of the One HMPPS programme, the business case for an alternative option to OASys will be developed under the Assess Risk Needs model. This will incorporate all available information and be developed in a system accessible to all staff in HMPPS which will be tested in one region by March 2024 with full roll out by March 2026.</p> <p>There are existing processes in place to ensure effective and timely information sharing between prisons and the community, particularly when there is a transfer in case management responsibility. This generally happens via the Prison Offender Manager (POM) to Community Offender Manager (COM) route, where depending on the profile of the case, a number of activities may take place to support handover which includes the following key aspects:</p> <ul style="list-style-type: none"> • OASys Assessments • Handover Report and meetings 	<p>Executive Director, HMPPS Change</p> <p>SRO OMiC Recovery Project</p>	<p>March 2026</p> <p>Completed</p>



			<ul style="list-style-type: none"> Automatic migration of entries added by prison staff in the Digital Prison Service (DPS) to Delius, so that they are visible and accessible to practitioners in the community. Automatic migration of documents stored in Delius to DPS, so that they are visible and accessible to practitioners working in prison. 		
4	create robust processes to record and analyse on probation case files when a person on probation is acquitted of offence(s) and where information remains relevant to inform risk of harm assessment and management.	Agreed	<p>The Public Protection Group will update the Risk of Serious Harm Guidance to help practitioners understand the significance of an offender being questioned about or charged with other offences though not convicted of them. The update to the Guidance will also address the need to take into account evidence which courts have used to support the making of a civil order where lead responsibility for instigating and monitoring lies with the police.</p> <p>PPG will review the content of the risk of serious harm training in relation to how information is used to inform risk of harm assessment and management and commission any changes necessary.</p>	Public Protection Director	June 2023
				Public Probation Director	June 2023
5	while cases are in custody ensure timely and accurate allocation of each case to probation practitioners in the community for supervision before and after release and a mechanism for checking this process.	Agreed	<p>Prison systems ensure cases for allocation are identified swiftly and transparently with regular reminders for outstanding allocations.</p> <p>The Probation Prioritisation Framework has been implemented and provides options for regions to prioritise key activity, including ensuring all cases are allocated to a named probation practitioner.</p> <p>Improved compliance will be demonstrated in relation to timely allocation through delivery of the London 2023/2024 QIP.</p>	SRO OMiC Recovery Project	Complete
				Regional Probation Director, London	Complete
				Regional Probation Director, London	April 2024
6	undertake an urgent review of processes for information and intelligence sharing between prisons and	Agreed	The National Security Group is undertaking a review of the operating model for information and intelligence sharing across HMPPS.	Deputy Director National Security Group	June 2023



	the probation service to be completed by June 2023. (A recommendation from the independent review of McCann, this should be given urgent attention given issues are still apparent).		Following the recommendations of the review, an updated operating model for intelligence in the community sector will be developed and implemented. This will include a mechanism for quality assurance.	Deputy Director National Security Group	June 2023
7	develop processes to ensure that <u>all</u> recall decisions are signed off and submitted by Senior Probation Officers within the 24-hour target period – with compliance against this target monitored in every Probation Delivery Unit on at least a monthly basis.	Agreed	<p>EPSIG will review current policy and guidance regarding the required processes from recall decision to Public Protection Casework Section (PPCS) submission. The review will identify a process or digital prompt to provide a failsafe in case of human error.</p> <p>EPSIG will also review what monitoring and management arrangements are available and whether further processes need to be implemented.</p> <p>Improved compliance will be demonstrated in relation to recall decisions through delivery of the London 2023/2024 QIP</p>	<p>EPSIG Deputy Director and Regional Probation Director, London</p> <p>EPSIG Deputy Director</p> <p>Regional Probation Director, London</p>	<p>April 2024</p> <p>April 2024</p> <p>April 2024</p>
8	ensure that data on the time from licence revocation by HMPPS Public Protection Casework Section to an individual being received into prison custody is monitored on a regular basis by HMPPS jointly with the National Police Chiefs Council (NPCC) and that joint probation and police plans are agreed for maximising performance against this metric.	Agreed	The Joint National Protocol (JNP) on recall, which sets out the respective responsibilities of the Probation Service, Public Protection Casework Section and local police forces has been revised and will be issued by 31 March 2023. HMPPS will seek agreement with the National Police Chiefs Council regarding the means by which the performance of the agencies involved in the recall process is monitored against agreed JNP target times.	Public Probation Director	March 2023
9	ensure the EPF2 tool is used when determining licence conditions and develop a mechanism for effective management oversight of this process to ensure that all appropriate licence conditions, including GPS tagging, are applied after release.	Agreed	<p>All Probation regions will increase their use of the EPF2 when proposing licence conditions to 95% by September 2023. This will be monitored through the regional QIP and performance management.</p> <p>Senior Probation Officers will have access to reports on practitioner uptake and frequency of professional override to monitor uptake and adherence to policy, when licence</p>	<p>Joint Head of Central Courts and EPF team</p> <p>Joint Head of Central Courts and EPF team</p>	<p>September 2023</p> <p>September 2023</p>



			<p>condition planning. The EPF team will provide briefings to support effective managerial oversight.</p> <p>The EPF Team will continue working with interventions leads (including Electronic Monitoring Services) to support interventions targeting; and to provide the best available guidance to staff via EPF, when licence condition planning.</p>	Joint Head of Central Courts and EPF team	Completed and ongoing
10	develop a London wide initiative on neurodiversity and invest in trauma informed training for staff.	Agreed	London Probation Region will commission neurodiversity and trauma informed training workshops for all practitioners and SPOs in London for 2023/2024.	Regional Probation Director, London	April 2023

Recommendations	
Agreed/Agreed in principle	10
Partly Agreed	0
Not Agreed	0
Total	10

